

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Jordan, Craig

Application No.: 10/830,089

Filed: April 23, 2004

For: METHODS TO IMPAIR  
HEMATOLOGIC CANCER  
PROGENITOR CELLS AND  
COMPOUNDS RELATED THERETO

Confirmation No.: 7583

Group Art Unit: 1644

Examiner: Belyavskiy, Michail A.

Attorney Docket No.: 11745-060-999

**TERMINAL DISCLAIMER**

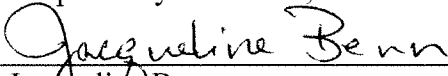
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The fee for processing the attached Terminal Disclaimer is believed to be \$140.00.  
Please charge the required fee to Jones Day Deposit Account No. 50-3013.

Date: August 7, 2009

Respectfully submitted,



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Alexandria, VA 22313-1450

Sir:

Your undersigned, **Donald G. Keach**, represents that he holds the position of Director, Intellectual Property at **University of Kentucky Research Foundation**.

University of Kentucky Research Foundation is the assignee of the entire right, title and interest in and to U.S. Patent Application No. 10/830,089 by virtue of an assignment from Craig Jordan to University of Kentucky Research Foundation, which was recorded on July 17, 2001, at Reel 012006, Frame 0317, in parent U.S. Patent Application No. 09/799,100.

University of Kentucky Research Foundation is also the assignee of the entire right, title and interest in and to U.S. Patent No. 6,733,743 by virtue of assignment from Craig Jordan to University of Kentucky Research Foundation, which was recorded on July 17, 2001, at Reel 012006, Frame 0317 in U.S. Patent Application No. 09/799,100.

The undersigned, on behalf of University of Kentucky Research Foundation, hereby disclaims the terminal part of the statutory term of any patent granted on U.S. Patent Application No. 10/830,089 which would extend beyond the expiration date of U.S. Patent No. 6,733,743, and hereby agrees that any patent so granted on U.S. Patent Application No. 10/830,089 shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,733,743.

The undersigned further agrees that this agreement is to run with any patent granted on

U.S. Patent Application No. 10/830,089 and is to be binding upon the grantee, its successors, and assigns and that any patent granted on that application or any patent subject to a reexamination proceeding shall be enforceable only for and during such period that said patent is commonly owned with the application or patent which formed the basis for the rejection.

The undersigned does not disclaim any terminal part of any patent granted on U.S. Patent Application No. 10/830,089 prior to the expiration date of the full statutory term of U.S. Patent No. 6,733,743, in the event that said patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title stated above.

The undersigned hereby confirms that he has reviewed all the assignments and, to the best of his knowledge and belief, title in both U.S. Patent No. 6,733,743 and U.S. Patent Application No. 10/830,089 are in the assignee seeking to take action in this matter and that the undersigned is empowered to act on behalf of the assignee, University of Kentucky Research Foundation.

The undersigned hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed this 6<sup>th</sup> day of August, 2009

**University of Kentucky Research Foundation**

By:

Name:

Position/Title

*Donald G. Keach*

**Donald G. Keach**

**Director, Intellectual Property**